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Attn: J. Fitzgerald

FAX NO.: (703) 872-9306

DATE: October 26, 2004

FROM: Marcella D. Watkins 36,962

Conley Rose, P.C.

7100 JPMorgan Chase Tower

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Houston, Texas 77002-2912

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CLIENT NO.: 1391-41700

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE) 5

COMMENTS: Re: U.S. Patent Application Serial No. 10/614,850
Applicant: Christopher Jones et al.

The following documents are attached for filing:
Protest of Non-Entry Of September 17, 2004 Response to Office Action dated June 17, 2004 (1 p.);
Fee Transmittal Form (1 p.); Copies of previously submitted Fee Transmittal Forms (2 p.)

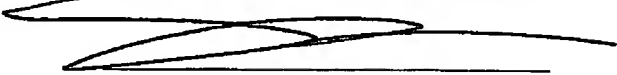
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being sent by facsimile transmission on the date shown below to (703) 872-9306 (fax number), the U.S. Patent and Trademark Office, in accordance with 37 CFR § 1.6(d).

Sandra K. Begley

(Type or print name of person mailing paper)

Date: October 26, 2004


(Signature of person mailing paper)

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OCT 26 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Christopher Jones et al.	§	GROUP ART UNIT:
		§	2856
SERIAL NO.:	10/614,850	§	
		§	EXAMINER:
FILED:	July 8, 2003	§	J. Fitzgerald
		§	
FOR:	Use of Cesium as a Tracer in Coring	§	
	Operations	§	

PROTEST OF NON-ENTRY OF SEPTEMBER 17, 2004 RESPONSE TO OFFICE ACTION
DATED JUNE 17, 2004

Atty. Dkt. No.: 1391-41700
Date: October 26, 2004


Mail Stop Amendments
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed in conjunction with applicant's reply to the Notice of Fee Deficiency dated September 28, 2004. While the Response to Office Action filed by Applicants on September 17, 2004 did not include a Fee Transmittal Form, Applicants respectfully submit that Fee Transmittal forms filed in July 2003 and December 2003 (*copies attached*) both included authorization to "charge any additional fees during the pendency of this application." Therefore the excess claims fee that was required with the September 2004 filing should have been charged to the undersigned's Deposit Account.

As indicated on the attached Fee Transmittal form Applicants request that the required fee be charged and that the previously filed Response to Office Action be entered in the present case. If there are any questions regarding the foregoing, please telephone the undersigned.


Respectfully submitted,



Marcella D. Watkins
Reg. No. 36,962
CONLEY ROSE, P.C.
P. O. Box 3267
Houston, Texas 77253-3267
(713) 238-8000
ATTORNEY/AGENT FOR APPLICANT

137673.01/1391.41700

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FEE TRANSMITTAL For FY 2004		Complete if Known																																																																																																																																																	
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Name (Print/Type)	Marcella D. Watkins	Registration No. (Attorney/Agent)	36,962																																																																																																																																																
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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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late filing fee or oath	\$130.00	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	\$	1053	130	1053	130	Non-English specification	\$	1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	\$	18042	920*	1804	920*	Requesting publication of SIR prior to Examiner action	\$	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	\$	1251	110	2251	55	Extension for reply within first month	\$110.00	1252	420	2252	210	Extension for reply within second month	\$	1253	950	2253	475	Extension for reply within third month	\$	1254	1,480	2254	740	Extension for reply within fourth month	\$	1255	2,010	2255	1,005	Extension for reply within fifth month	\$	1401	330	2401	165	Notice of Appeal	\$	1402	330	2402	165	Filing a brief in support of an appeal	\$	1403	280	2403	140	Request for oral hearing	\$	1451	1,510	1452	1,510	Petition to institute a public use proceeding	\$	1452	110	2452	55	Petition to revive - unavoidable	\$	1453	1,330	2453	665	Petition to revive - unintentional	\$	1501	1,330	2501	665	Utility issue fee (or reissue)	\$	1502	480	2502	240	Design issue fee	\$	1503	640	2503	320	Plant issue fee	\$	1460	130	1460	130	Petitions to the Commissioner	\$	1807	50	1806	50	Processing fee under 37 CFR 1.17(g)	\$	123	50	123	50	Petitions related to provisional applications	\$	1806	180	1806	180	Submission of Information Disclosure Stmt	\$	8021	40	8021	40	Recording each patent assignment per property (times number of properties)	\$	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	\$	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	\$	1801	770	2801	385	Request for Continued Examination (RCE)	\$	1802	900	1802	900	Request for expedited examination of a design application	\$	Complete (if applicable) Name (Print/Type) Marcella D. Watkins Registration No. (Attorney/Agent) 36,962 Telephone (713) 238-8000 Signature <i>Marcella D. Watkins</i> Date December 11, 2003	
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																						
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PTO/SB/017 (05-03)

Approved for use through 04/30/2003. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL
For FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** \$ 750.00**Complete if Known**

Application Number

Filing Date

First Named Inventor

Christopher Jones

Examiner Name

Art Unit

Attorney Docket No.

1391-41700

METHOD OF PAYMENT (Check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:
Deposit Account Number: 03-2769
Deposit Account Name: Conley Rose, P.C.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account
☒ Credit any overpayments**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Small Entity	Fee	Fee	Fee Description	Fee Paid
Code (\$)	Code (\$)				
1001 750	2001 375			Utility filing fee	\$750.00
1002 330	2002 165			Design filing fee	\$
1003 520	2003 260			Plant filing fee	\$
1004 750	2004 375			Reissue filing fee	\$
1005 160	2005 80			Provisional filing fee	\$

SUBTOTAL (1) \$750.00**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	19	20**	0	x	18.00	=	\$00.00
Independent Claims	2	3**	0	x	84.00	=	\$00.00
Multiple Dependent					280.00	=	\$00.00

Large Entity	Small Entity	Fee	Fee	Fee Description
Code (\$)	Code (\$)			
1202 18	2202 9			Claims in excess of 20
1201 84	2201 42			Independent Claims in excess of 3
1203 280	2203 140			Multiple dependent claim, if not paid
1204 84	2204 42			** Reissue independent claims over original patent
1205 18	2205 9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$00.00

** or: number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Name (Print/Type)

Marcella D. Watkins

Registration No.
(Attorney/Agent)

36,962

Telephone

(713) 238-8000

Signature

Date

July 8, 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.